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EXAMINER

TRUONG, CAM Y T

ART UNIT	PAPER NUMBER
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2172

10

DATE MAILED: 03/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/839,974

Applicant(s)

SCHWARTZ ET AL.

Examiner

Cam Y T Truong

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 and 25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 and 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Applicant has amended claims 1-3, 6, 10-16, 18-20 and 22-23, canceled claim 24 and added claim 25. Claims 1- 23 and 25 are pending in this Office Action.

Applicant's arguments with respect to claims 6 and 22 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argued that Boyer does not teach the claimed limitation "identifying preferred program attributes and non-preferred program attributes". However, Boyer teaches as the system displays list programs, which are stored sorted by time & date. For example, on Saturday 07 12: 00 PM, a user can watch movie Land of the Pharaohs at channel 21 AMC and The Craft at channel 36 RSQ. These Land of the Pharaohs and The Craft include two attributes Saturday and 12:00 PM and exclude the attributes times 12:25 and 12:30PM. Movies are represented as program. The attributes times 12:25 and 12:30 PM are represented as the non-preferred program attributes (fig. 14).

Applicant argued that Boyer does not teach the claimed limitation "sorting through the first database using the user-defined criteria to select programs". However, Boyer teaches these program guide services allow the user to manipulate the television listings by searching or sorting through the listings using criteria such as genre, channel, and broadcast time (col. 1, lines 38-41). This information indicates sorting through database using user's criteria to selected programs.

Applicant discussed that Lawler does not teach the claimed limitation "comparing the program attributes of a program of the plurality of programs to the preferred program

attributes; comparing the program attributes of the program of the plurality of programs to the non-preferred program attributes". However, Lawler teaches matching the value i.e., name, genre, subgenre, team in table 2 with each value of the number of received programs. In case, if the system finds the values that are matched with values of received programs, these values are represented as the preferred program attribute. If the system finds the values that do not match with the values of the received programs, these values are represented as the non-preferred program attributes. The values in table 2 are presented as program attributes. The above information indicates comparing the program attributes of (col. 7, lines 64-67; col. 8, lines 1-5).

For the above reason, examiner believed that rejection for claims 1-5, 7-23 of the last office action was proper.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 5, 7, 8, 14, 15, 21 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyer et al (USP 6268849).

As to claim 1, Boyer teaches the claimed limitations:

"accessing a first database that includes program information describing the plurality of programs through program attributes" as accessing a database of web

server 55. This database, which contains program listings describing the plurality of programs such as category program list page 860 and program lists 826, is transferred from server 16. Each category program list page 860 has attributes such as channel and time & date (col. 4, lines 35-40; col. 5, lines 2-50; col. 11, lines 9-15);

“obtaining user-defined criteria for identifying preferred program attributes and non-preferred program attributes” as when movie category is selected, the user is presented with category program list page 860, as shown in fig. 14. The first movie program is Land of The Pharaohs. This movie has two attributes such as time& date sat 07 12:00PM and channel 21 AMC. These attributes are identified as preferred program attributes for the first movie program. However, these attributes are identified as non-preferred program attributes for the second movie program Erotic Princess (fig. 14, col. 11, lines 9-15);

“and sorting through the first database using the user-defined criteria to select programs” as these program guide services allow the user to manipulate the television listings by searching or sorting through the listings using criteria such as genre, channel, and broadcast time (col. 1, lines 38-41).

Boyer does not explicitly teach the claimed limitation “the program attributes of each selected program having the preferred program attributes and not having the non-preferred program attributes”. Boyer teaches that the system displays list programs, which are stored sorted by time & date. For example, on Saturday 07 12: 00 PM, a user can watch movie Land of the Pharaohs at channel 21 AMC and The Craft at channel 36 RSQ. These Land of the Pharaohs and The Craft include two attributes

Art Unit: 2172

Saturday and 12:00 PM and exclude the attributes times 12:25 and 12:30PM. Movies are represented as program. The attributes times 12:25 and 12:30 PM are represented as the non-preferred program attributes (fig. 14).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Boyer's teaching of storing a list of program by time and date in order to organize or category a database and provide a correct program following user's desires.

As to claim 2, Boyer teaches the claimed limitation "presenting the selected program to the user for selection" as (figs. 13-14).

As to claim 5, Boyer fails to teach the claimed limitation "wherein said sorting involves applying a logical AND and a logical NOT to the program attributes". However, Boyer teaches that that after a user selects movie category of database, the system displays a list of programs i.e., Land of The Pharaohs and Erotic Princess. In the movie Land of The Pharaohs has two attributes such as time & date sat 07 12:00 PM and channel 21 AMC In the movie Erotic Princess has two attributes such as Sat 07 1:00 PM and Channel 98 Spice. The attributes of the movie Land of The Pharaohs are include in the program movie Land of The Pharaohs and not included in the program movie Erotic Princess. The above information shows that the system has applied a logical AND and a logical NOT to the program attributes to contain Sat 07 1:00 PM and

Art Unit: 2172

Channel 98 in the movie Land of the Pharaohs and not contained these attributes in the movie Erotic Princess (fig. 14, col. 4, lines 35-40; col. 5, lines 2-50).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Boyer's teaching of after a user selects movie category of database, the system displays a list of programs i.e., Land of The Pharaohs and Erotic Princess. In the movie Land of The Pharaohs has two attributes such as time & date sat 07 12:00 PM and channel 21 AMC In the movie Erotic Princess has two attributes such as Sat 07 1:00 PM and Channel 98 Spice. The attributes of the movie Land of The Pharaohs are include in the program movie Land of The Pharaohs and not included in the program movie Erotic Princess. The above information shows that the system has applied a logical AND and a logical NOT to the program attributes to contain Sat 07 1:00 PM and Channel 98 in the movie Land of the Pharaohs and not contained these attribute in the movie Erotic Princess in order to include a correct attribute for a program.

As to claim 7, Boyer does not explicitly teach the claimed limitation "repeatedly sorting through the first database". However, Boyer teaches that the program guide services allows the user to manipulate the television listing by searching or sorting through the listings using criteria such as genre, channel, and broad cast time (col. 1, lines 37-42). This information shows that a user can sort the television lists any time.

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Boyer's teaching of the program guide services allows

Art Unit: 2172

the user to manipulate the television listing by searching or sorting through the listings using criteria such as genre, channel, and broad cast time in order to allow a user to rearrange a database following user's desired.

As to claim 8, Boyer teaches the claimed limitation "updating the program information of the first database" as (col. 4, lines 12-15).

As to claim 14, Boyer teaches the claimed limitations:

"a memory to receive and to store program information describing a plurality of programs through program attributes" as television program information including television program listings information and related real-time data may transferred from transmission server 16 to web server 55. The user of such a multimedia system has the capability to access an interactive internet television program guide having embedded real time data within its program listing using web server 55. This information shows that web server 55 has included a memory to store television program information to allow a user to access (col. 5, lines 3-50);

"a source of user-defined criteria" as (fig. 13), "wherein the user-defined criteria identify preferred program attributes and non-preferred program attributes" as when movie category is selected, the user is presented with category program list page 860, as shown in fig. 14. The first movie program is Land of The Pharaohs. This movie has two attributes such as time& date sat 07 12:00PM and channel 21 AMC. These attributes are identified as preferred program attributes for the first movie program.

Art Unit: 2172

However, these attributes are identified as non-preferred program attributes for the second movie program Erotic Princess (fig. 14, col. 11, lines 9-15);

“a preference module configured to sort through the program information to select programs” as these program guide services allow the user to manipulate the television listings by searching or sorting through the listings using criteria such as genre, channel, and broadcast time (col. 1, lines 38-41).

Boyer does not explicitly teach the claimed limitation “the program attributes of each selected program having the preferred program attributes and not having the non-preferred program attributes”. However, Boyer teaches the system displays list programs, which are stored sorted by time & date. For example, on Saturday 07 12: 00 PM, a user can watch movie Land of the Pharaohs at channel 21 AMC and The Craft at channel 36 RSQ. These Land of the Pharaohs and The Craft include two attributes Saturday and 12:00 PM and exclude the attributes times 12:25 and 12:30PM. Movies are represented as program. The attributes times 12:25 and 12:30 PM are represented as the non-preferred program attributes (fig. 14).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Boyer's teaching of storing a list of program by time and date in order to organize or category a database and provide a correct program following user's desires.

As to claim 15, Boyer teaches the claimed limitation "comprising a graphical user interface for presenting the selected programs to a user for further selection by the user" as (figs.13-14).

As to claim 21, Boyer teaches the claimed limitation "wherein the preference module applies a logical AND and a logical NOT to the program attributes". However, Boyer teaches that that after a user selects movie category of database, the system displays a list of programs i.e., Land of The Pharaohs and Erotic Princess. In the movie Land of The Pharaohs has two attributes such as time & date sat 07 12:00 PM and channel 21 AMC In the movie Erotic Princess has two attributes such as Sat 07 1:00 PM and Channel 98 Spice. The attributes of the movie Land of The Pharaohs are include in the program movie Land of The Pharaohs and not included in the program movie Erotic Princess. The above information shows that the system has included a preference module to apply a logical AND and a logical NOT to the program attributes to contain Sat 07 1:00 PM and Channel 98 in the movie Land of the Pharaohs and not contained these attribute in the movie Erotic Princess (fig. 14, col. 4, lines 35-40; col. 5, lines 2-50).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Boyer's teaching of after a user selects movie category of database, the system displays a list of programs i.e., Land of The Pharaohs and Erotic Princess. In the movie Land of The Pharaohs has two attributes such as time & date sat 07 12:00 PM and channel 21 AMC In the movie Erotic Princess has two

Art Unit: 2172

attributes such as Sat 07 1:00 PM and Channel 98 Spice. The attributes of the movie Land of The Pharaohs are include in the program movie Land of The Pharaohs and not included in the program movie Erotic Princess. The above information shows that the system has applied a logical AND and a logical NOT to the program attributes to contain Sat 07 1:00 PM and Channel 98 in the movie Land of the Pharaohs and not contained these attribute in the movie Erotic Princess in order to include a correct attribute for a program.

As to claim 25, Boyer teaches the claimed limitations:

“accessing a first database that includes program information regarding the plurality of programs, each program having one or more program attributes which describe the program” as accessing a database of web server 55. This database, which contains program listings describing the plurality of programs such as category program list page 860 and program lists 826, is transferred from server 16. Each category program list page 860 has attributes such as channel and time & date (col. 4, lines 35-40; col. 5, lines 2-50; col. 11, lines 9-15);

“obtaining user-defined criteria which define a user’s viewing interests, the viewing interests expressed as at least one required program attribute and at least one barred program attribute” as (fig. 9, col. 8, lines 20-60),

“the required program attribute corresponding to an attribute which a program must have in order that the program be of interest to the user” as (fig. 14, col. 8, lines 50-67),

Art Unit: 2172

"identifying a selected set of programs of interest to the user, each program of the selected set of programs having the required program attribute and not having the barred program attribute" as (fig. 14, col. 8, lines 50-67).

Boyer does not explicitly teach the claimed limitation "the barred program attribute corresponding to an attribute which a program must not have in order that the program be of interest to the user". However, Boyer teaches the system displays list programs, which are stored sorted by time & date based on user selecting. For example, on Saturday 07 12: 00 PM, a user can watch movie Land of the Pharaohs at channel 21 AMC and The Craft at channel 36 RSQ. These Land of the Pharaohs and The Craft include two attributes Saturday and 12:00 PM and exclude the attribute time 12:30. Thus, the Craft does not have in order the attribute time 12:30 of the movie Mother JUGS& speed. Each movie is represented as a program. The attributes time 12:30 PM of movie Mother JUGS & Speed is represented the barred program attribute (fig. 14, col. 11, lines 5-20).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Boyer's teaching of the system displays list programs, which are stored sorted by time & date based on user selecting. For example, on Saturday 07 12: 00 PM, a user can watch movie Land of the Pharaohs at channel 21 AMC and The Craft at channel 36 RSQ. These Land of the Pharaohs and The Craft include two attributes Saturday and 12:00 PM and exclude the attribute time 12:30 to attract user's attention, save time for user reading information and provide a correct program following user's desires.

4. Claims 3, 4, 9-13, 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyer et al (USP 6268849) in view of Etheredge (USP 6172674).

As to claim 3, Boyer discloses the claimed limitation subject matter in claim 1, except the claimed limitation "recording at least one of the selected program for deferred selection by the user". However, Boyer teaches a user can select any category (figs. 13-14). Etheredge teaches that the electronic program guide allows the user to highlight shows and select them for later recording or viewing (col. 8, lines 45-50).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Etheredge's teaching of the electronic program guide allows the user to highlight shows and select them for later recording or viewing to Boyer's system to monitor user's actions.

As to claim 4, Boyer discloses the claimed limitation subject matter in claim 1, except the claimed limitation "receiving a user input to modify the user-defined attributes". However, Boyer teaches a user can select any category (figs. 13-14). Etheredge teaches that that user profile database 296 stores user profile information which user names, channel mapping, topics, agents and title. The system allows users to change user profiles from one user to another. It means that whenever user changes his or her profile, the user modifies the use-defined attributes. User names or titles are

Art Unit: 2172

represented as the user-defined attributes. User profile database 269 is represented as second database (fig. 3, col. 8, lines 53-54; col. 9, lines 56-57).

It would have been obvious to a person of an ordinary skill in the art at the invention was made to apply Etheredge's teaching of user profile database 296 stores user profile information which user names, channel mapping, topics, agents and title. The system allows users to change user profiles from one user to another. User names or title are represented as the user-defined attributes. User profile database 269 is represented as second database to Boyers' system in order to allow users to create or update their profiles any time they want.

As to claim 9, Boyer discloses the claimed limitation subject matter in claim 8, except the claimed limitation "further comprising repeatedly sorting through the first database including updated program information". However, Boyer teaches sorting through the listings using criteria such as genre, channel and broadcast time. Etheredge teaches that client computer can maintain database (col. 9, lines 12-17). It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Boyer's teaching of sorting through the listings using criteria and Etheredge's teaching of maintaining database in order to provide organize database to user's desire.

As to claim 10, Boyer discloses the claimed limitation subject matter in claim 1, except the claimed limitation "the user-defined criteria are obtained from a second

Art Unit: 2172

database". However, Boyer teaches that database contains program attributes such as channel and time& data (fig. 14). Etheredge teaches that user profile database 296 stores user profile information which user names, channel mapping, topics, agents and title. The system allows users to change user profiles from one user to another. User names or title are represented as the user-defined attributes. User profile database 269 is represented as second database (fig. 3, col. 8, lines 53-54; col. 9, lines 56-57).

It would have been obvious to a person of an ordinary skill in the art at the invention was made to apply Etheredge's teaching of user profile database 296 stores user profile information which user names, channel mapping, topics, agents and title. The system allows users to change user profiles from one user to another. User names or title are represented as the user-defined attributes. User profile database 269 is represented as second database to Boyers' system in order to allow users to create or update their profiles any time they want.

As to claim 11, Boyer discloses the claimed limitation subject matter in claim 10, except the claimed limitation "wherein the second database stores multiple sets of user-defined attributes for multiple users". However, Boyer teaches that database contains program attributes such as channel and time& data (fig. 14). Etheredge teaches that user profile database 296 stores user profile information which user names, channel mapping, topics, agents and title. The system allows users to change user profiles from one user to another. Since the system allow any user can create her or his profile, thus this profile can stores multiple user-defined attributes. User names or title are

represented as the user-defined attributes. User profile database 269 is represented as second database (fig. 3, col. 8, lines 53-54; col. 9, lines 56-57).

It would have been obvious to a person of an ordinary skill in the art at the invention was made to apply Etheredge's teaching of user profile database 296 stores user profile information which user names, channel mapping, topics, agents and title. The system allows users to change user profiles from one user to another. User names or title are represented as the user-defined attributes. User profile database 269 is represented as second database to Boyers' system in order to allow users to create or update their profiles any time they want.

As to claim 12, Boyer discloses the claimed limitation subject matter in claim 10, except the claimed limitation "wherein the second database stores multiple sets of user-defined attributes for a user". However, Boyer teaches that database contains program attributes such as channel and time& data (fig. 14). Etheredge teaches that user profile database 296 stores user profile information which user names, channel mapping, topics, agents and title. The system allows users to change user profiles from one user to another. User names or title are represented as the user-defined attributes. User profile database 269 is represented as second database (fig. 3, col. 8, lines 53-54; col. 9, lines 56-57).

It would have been obvious to a person of an ordinary skill in the art at the invention was made to apply Etheredge's teaching of user profile database 296 stores user profile information which user names, channel mapping, topics, agents and title.

Art Unit: 2172

The system allows users to change user profiles from one user to another. User names or title are represented as the user-defined attributes. User profile database 269 is represented as second database to Boyers' system in order to allow users to create or update their profiles any time they want.

As to claim 13, Boyer discloses the claimed limitation subject matter in claim 1, except the claimed limitation 'wherein the user-defined attributes are obtained from an input device under control of the user'. However, Boyer teaches that database contains program attributes such as channel and time& data (fig. 14). Etheredge teaches that user profile database 296 stores user profile information which user names, channel mapping, topics, agents and title. The system allows users to change user profiles from one user to another. The above information shows that the system has included an input device. Thus, a user can enter user names or tile to a use profile database. User names or title are represented as the user-defined attributes. User profile database 269 is represented as second database (fig. 3, col. 8, lines 53-54; col. 9, lines 56-57).

It would have been obvious to a person of an ordinary skill in the art at the invention was made to apply Etheredge's teaching of user profile database 296 stores user profile information which user names, channel mapping, topics, agents and title. The system allows users to change user profiles from one user to another. User names or title are represented as the user-defined attributes. User profile database 269 is represented as second database to Boyers' system in order to allow users to create or update their profiles any time they want.

As to claim 16, Boyer discloses the claimed limitation subject matter in claim 15, except the claimed limitation "wherein the graphical user interface is configured to receive a user input to modify the user-defined criteria". However, Boyer teaches that a user selects a category (fig. 13). Etheredge teaches that user profile database 296 stores user profile information which user names, channel mapping, topics, agents and title. The system allows users to change user profiles from one user to another. The above information shows that the system has included an interface to a user to update a user profile or modify user profile. Thus, a user can enter user names or title to a user profile database. User names or title are represented as the user-defined attributes. User profile database 269 is represented as second database (fig. 3, col. 8, lines 53-54; col. 9, lines 56-57).

It would have been obvious to a person of an ordinary skill in the art at the invention was made to apply Etheredge's teaching of user profile database 296 stores user profile information which user names, channel mapping, topics, agents and title. The system allows users to change user profiles from one user to another. User names or title are represented as the user-defined attributes. User profile database 269 is represented as second database to Boyers' system in order to allow users to create or update their profiles any time they want.

As to claim 17, Boyer teaches the claimed limitation "wherein the graphical user interface is configured to receive a user input to further select the program" as (fig. 13).

As to claim 18, Boyer discloses the claimed limitation subject matter in claim 14, except the claimed limitation "a storage device configured to record at least one of the selected programs for deferred selection by a user". However, Boyer teaches a user can select any category (figs. 13-14). Etheredge teaches that the electronic program guide allows the user to highlight shows and select them for later recording or viewing. This information shows that the system has included a storage device to record the program for later viewing (col. 8, lines 45-50).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Etheredge's teaching of the electronic program guide allows the user to highlight shows and select them for later recording or viewing to Boyer's system to monitor user's actions.

As to claim 19, Boyer discloses the claimed limitation subject matter in claim 18, except the claimed limitation "the preference module is configured to further select at least one of the selected programs for automatic recording and to initiate automatic recording of the program selected by the preference module. However, Boyer teaches a user can select any category (figs. 13-14). Etheredge teaches that the electronic program guide allows the user to highlight shows and select them for later recording or viewing. The above information shows that the system has included a preference module to initiate automatic recording of the program based on user's selection (col. 8, lines 45-50).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Etheredge's teaching of the electronic program guide allows the user to highlight shows and select them for later recording or viewing to Boyer's system to monitor user's actions.

As to claim 20, Boyer discloses the claimed limitation subject matter in claim 1, except the claimed limitation "wherein the preference module is configured to further select at least one of the selected programs for recording and to initiate recording of the program selected by the preference module in response to user input". However, Boyer teaches a user can select any category (figs. 13-14). Etheredge teaches that the electronic program guide allows the user to highlight shows and select them for later recording or viewing. The above information shows that the system has included a preference module is configured to initiate recoding of a program upon the user selects (col. 8, lines 45-50).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Etheredge's teaching of the electronic program guide allows the user to highlight shows and select them for later recording or viewing to Boyer's system to monitor user's actions.

5. Claims 6 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyer in view of Vallone et al (or hereinafter "Vallone") (USP 6642939) and Usui et al (or hereinafter "Usui") (USP 6305018).

As to claims 6 and 22, Boyer teaches the claimed limitation "wherein the program attributes of each program comprise at least one program attribute from a group that includes channel of the program, actor of the program, title of the program, genre of the program" as the attributes of the movie programs include channel, genre, title, and time & date (fig. 14).

Boyer does not explicitly teach the claimed limitation "language of the program, critical rating of the program, callsign of the program, play content of the program, maturity rating of the program, multi-part format of the program and seasonal content of the program". Usui teaches call sign (or a name), a logo and a mail icon is displayed for 3 seconds. In addition to such a banner, there is another type of banner to give a total of two banner types. The other banner further includes information such as the name of a program, a broadcasting start time and the present time besides the simple configuration of the first banner. A display button 136 is operated to switch the displayed banner from one type to another (col. 14, lines 40-47). Vallone teaches TV rating, season pass for the program, (col. 17, lines 60-65; col. 18, lines 10-15).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Usui's teaching of call sign of the program and Vallone's teaching of TV rating and season pass for the program to Boyer's system in order to provide more information or detail information about programs to a user.

6. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boyer in view of Lawler (USP 5758259).

As to claim 23, Boyer teaches the claimed limitations:

“accessing a first database that includes program information describing the plurality of programs through program attributes” as accessing a database of web server 55. This database, which contains program listings describing the plurality of programs such as category program list page 860 and program lists 826, is transferred from server 16. Each category program list page 860 has attributes such as channel and time & date (col. 4, lines 35-40; col. 5, lines 2-50; col. 11, lines 9-15);

“obtaining user-defined criteria for identifying preferred program attributes and non-preferred program attributes” as when movie category is selected, the user is presented with category program list page 860, as shown in fig. 14. The first movie program is Land of The Pharaohs. This movie has two attributes such as time& date sat 07 12:00PM and channel 21 AMC. These attributes are identified as preferred program attributes for the first movie program. However, these attributes are identified as non-preferred program attributes for the second movie program Erotic Princess (fig. 14, col. 11, lines 9-15);

“selecting the program of the plurality of programs, if the program attributes of the program include the preferred program attributes and do not include the non-preferred program attributes” as identifying Mad Love of programs. This program includes attributes time & date Saturday 07 12:25PM, channel 25 and exclude the attributes channel 21 and 36. Channels and time& dates are presented as attributes (fig. 14).

Boyer does not explicitly teach the claimed limitations:

"comparing the program attributes of a program of the plurality of programs to the preferred program attributes; comparing the program attributes of the program of the plurality of programs to the non-preferred program attributes". Lawler teaches matching the value i.e., name, genre, subgenre, team in table 2 with each value of the number of received programs. In case, if the system finds the values that are matched with values of received programs, these values are represented as the preferred program attribute. If the system finds the values that do not match with the values of the received programs, these values are represented as the non-preferred program attributes. The values in table 2 are presented as program attributes (col. 7, lines 64-67; col. 8, lines 1-5).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Lawler's teaching of matching the value i.e., name, genre, subgenre, team in table 2 with each value of the number of received programs to Boyer's system in order to return matched programs with requests to users or identify programs following users' desires.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lemmons et al (USP 5880768).

Contact Information


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam-Y Truong whose telephone number is (703-605-1169). The examiner can normally be reached on Mon-Fri from 8:00AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on (703-305-9790). The fax phone numbers for the organization where this application or proceeding is assigned is (703)-872-9360.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Cam-Y Truong

2/19/04


SHAHID ALAM
PRIMARY EXAMINER